

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
ELIAS et al.

Application No.: 10/565,210

Confirmation No.: 9182

Filed: January 20, 2006

Art Unit: 2838

For: BATTERY CHARACTERIZATION
TECHNIQUE

Examiner: PHAM, Emily P.

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

In accordance with 37 CFR 1.98(a)(2)(ii), Applicants have not submitted copies of U.S. patents and U.S. patent applications. Applicants submit herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

Among the references listed on the attached PTO/SB/08 under Foreign-Patent Documents, the relevancy of German Patent Application No. 26 31 974 can be determined by review of the corresponding English language Great Britain Application No. 1 55 543

Among the references listed on the attached PTO/SB/08 under Non-Patent Literature Documents are an International Search Report, a Written Opinion, and an International Preliminary Report on Patentability for International Patent Application No. PCT/US2004/024163, which was published as International Publication No. WO 2006/022645. International Publication No. WO 2006/022645 is included with this submission as a foreign reference.

Also among the references listed on the attached PTO/SB/08 under Non-Patent Literature Documents is an English language translation of a Notification of Reason(s) for Refusal for Japanese Patent Application No. 2007-523516.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is “prior art” for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any fees which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0185, under Order No. 22409-00312-US.

Dated: August 2, 2010

Respectfully submitted,

Electronic signature: /Michael G. Verga/

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